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| DONNIE E. WOLFE, JR., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 2:19-cv-04010-MDH |
| |) | |
| MPW TRANSPORTATION SERVICES, LLC, |) | |
| |) | |
| Defendant. |) | |

Before the Court is Plaintiff's Motion to Remand Count I pursuant to 28 U.S.C. § 1447(c). (Doc. 4). Plaintiff moves to remand Count I to the Circuit Court of Benton County, Missouri. Plaintiff argues Count I is a claim under the workers' compensation laws of Missouri and therefore is non-removable.

Defendant has filed a response to the motion stating that it properly removed Plaintiff's ADA claims as those claims are federal claims with federal question jurisdiction. Defendant further states that the workers' compensation claim may be severed and remanded and consents to the remand of Count I, but requests that the Court retain jurisdiction over Counts II (Hostile Work Environment in Violation of the ADA) and Count III (Retaliation in Violation of the ADA) of Plaintiff's Petition. (Doc. 9).

Wherefore, after a review of the record before the Court, and finding Defendant consents to remand of Count I, Plaintiff's workers' compensation claim, the Court hereby **GRANTS**

Plaintiff's Motion (Doc. 4) and **REMANDS** Count I only to the Circuit Court of Benton County, Missouri.

IT IS SO ORDERED.

DATED: February 26, 2019

/s/ Douglas Harpool
DOUGLAS HARPOOL
UNITED STATES DISTRICT JUDGE